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ZNR UUUUU ZZH  
O 030023Z DEC 09  
FM AMEMBASSY TEGUCIGALPA  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 1236  
INFO RUEHWH/WESTERN HEMISPHERIC AFFAIRS DIPL POSTS IMMEDIATE  
RUMIAAA/USSOUTHCOM MIAMI FL IMMEDIATE  
RUEKJCS/SECDEF WASHDC IMMEDIATE  
RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC IMMEDIATE  
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RUEAIIA/CIA WASHDC IMMEDIATE  
RHMFISS/CDR JTF-BRAVO IMMEDIATE  
RUEKJCS/JOINT STAFF WASHDC IMMEDIATE

UNCLAS SECTION 01 OF 02 TEGUCIGALPA 001241

SENSITIVE  
SIPDIS

E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [KDEM](#) [HO](#)

SUBJECT: TFH01: CONGRESSIONAL DEBATE ON RESTITUTION BEGINS

REF: TEGUCIGALPA 1237

1. (SBU) Summary. The Congress began its discussion of the restoration of President Jose Manuel "Mel" Zelaya around 13:00 local time on December 2. The Executive Committee of the Congress read the relevant portions of the Tegucigalpa-San Jose Accord, the letter to the Congress from the commissioners to the negotiations that led to the accord, and the reports submitted to the Congress by the other institutions of government on the issue of the restoration of President Zelaya. A motion was introduced to ratify the June 28 congressional decree removing President Zelaya. A roll call vote on the motion, during which each congressman was being allowed to deliver even lengthy remarks, began around 16:30. The debate and voting is expected to last late through the evening. The Congressional deliberations are covered live on television and radio, the debate has been open and transparent, roll call vote by name is being held, all of which we lobbied for (reftel). End Summary.

2. (U) The Congress began its discussion of the restoration of President Jose Manuel "Mel" Zelaya as provided in the Tegucigalpa-San Jose Accord on December 2 at around 13:00. Once the Congress established that there was a quorum, the President of the Congress read the Preamble and Article 5 of the Tegucigalpa-San Jose Accord and the letter to the Congress from the commissioners to the Guaymuras Dialogue that resulted in the Tegucigalpa-San Jose Accord. The Executive Committee then proceeded to read in their entirety the reports submitted to the Congress, at its request, by the Supreme Court, the National Commission on Human Rights, the Attorney General's Office (Civil), and the Public Ministry (Criminal). The Supreme Court's decision noted that there are criminal charges pending against President Zelaya. The other reports laid out the actions taken by President Zelaya that contributed to the polarization of the country before the June 28 coup d'etat. The report of the Commission on Human Rights stated President Zelaya promised not to change the Constitution when he took the oath of office and was guilty of abuse of power. The Attorney General's opinion stated that President Zelaya tried to overthrow the constitution and stay in power, thereby violating Article 239 of the constitution; it also threatened to prosecute members of Congress that supported Zelaya's return. The Public Ministry's Office said President Zelaya has not responded to the criminal charges pending against him, making him unfit to occupy the executive, and that his return to office is legally impossible because Congress would have to annul its June 28 decree and could only do so if the decree violated the law, which it does not seem to. A polished video on the

"facts before and after June 28" was then played on the floor of the Congress, which was clearly anti-Zelaya; it was unclear who had prepared the video.

13. (U) Ricardo Rodriguez of the Liberal Party introduced a motion, to be voted on by a roll call, reconfirming the congressional decree of June 28 removing President Zelaya from office. Rodolfo Irias, the National Party whip, said the National Party (which has 55 seats in the current congress) unanimously supported ratification of the June 28 decree. Irias did note the importance of a unity government and the Tegucigalpa-San Jose Accord. He added that President Zelaya rejected the accord and boycotted the most transparent elections ever held in Honduras.

14. (U) Cesar Ham of the Democratic Unification Party (UD), who ran for president in the November 29 election, gave an intervention against the coup in which he said his party had supported initiatives by the government of President Zelaya that did not please the country's oligarchy. He said private industry tried to impose a neo-liberal philosophy and privatize the country. Ham said the UD supported and will always support a Constituent Assembly because Honduras needs institutional change and profound reform. Ham said ten percent of the country's population cannot control ninety percent of the land and called for a more equitable Honduras. He said there had been repression and brutality against the anti-coup protesters. Ham ended by stating, "history will judge and absolve us." When several deputies made rude noises after one of Ham's critical remarks, the President of the Congress intervened, telling them to stop, adding that all would have the opportunity to speak.

TEGUCIGALP 00001241 002 OF 002

15. (U) Toribio Aguilera, whip of the Social Democratic Innovation and Unity Party (PINU), said the congressional debate taking place was for the benefit of the international community since the Honduran people had already expressed themselves on election day, November 29. Aguilera said five months of uncertainty caused by the political crisis caused thousands of Hondurans to suffer. He called for reconstruction of the country and for all political actors to work together to address the challenges facing Honduras: poverty, insecurity, and corruption.

16. (U) Edmundo Orellana, who was Zelaya's Defense Minister until he resigned on June 24 in protest over Zelaya's firing of Chief of Defense General Romeo Orlando Vasquez, delivered an eloquent statement in which he announced that he was not at the Congress to defend President Zelaya, but to defend constitutional values and principles. Orellana noted that the international community unanimously declared the events of June 28 a coup d'etat. He added that some nations view the election in a positive light, but that does not mean they will recognize the de facto regime. He warned that Honduras will remain isolated until January 27 and that it would take the government of president-elect Porfirio "Pepe" Lobo months for Honduras to be restored to the international community. Orellana said Honduras needs reconciliation and this requires restoration of the constitutional order, which does not necessarily mean the return to office of President Zelaya; Orellana noted that journalists had informed him that Zelaya had stated he does not wish to return to office. Orellana concluded by saying that congress cannot ratify its decree of June 28 removing Zelaya with a motion, but needs to issue a new decree.

17. (U) Vice President of Congress Juan Ramon Velasquez of the Christian Democratic Party asked how Americans could know what constituted a coup d'etat since they never experienced one. He noted that Americans assassinated their presidents and said that, thankfully, Hondurans do not do that.

18. (U) The Congress then proceeded to a roll call vote at approximately 16:30. Each congressman was being allowed to

deliver remarks when casting his or her vote, which is likely to make the proceedings go on for hours.

¶9. (SBU) Comment: As the Embassy recommended in its extensive lobbying over the past 36 hours (reftel), the debate is being carried out in an open and transparent manner, with a roll call vote by name. While those opposed to Zelaya appear to be in the clear majority, those opposed are being given their day to speak, and are doing so eloquently. As the events are being televised nationally, this is the first opportunity many Hondurans have had to hear detailed views of those that oppose the coup.

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